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SENATE BILL 9

46TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SPECIAL SESSION, 2003

INTRODUCED BY

Dede Feldman

FOR THE LEGISLATIVE HEALTH AND HUMAN SERVICES COMMITTEE

AN ACT

RELATING TO TAXATION; REFORMING TAX ADMINISTRATIVE PROCEDURES;
MAKING REVENUE FROM CERTAIN INSURANCE ADMINISTRATIVE SERVICES
SUBJECT TO THE GROSS RECEIPTS TAX.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 7-9-24 NMSA 1978 (being Laws 1969,
Chapter 144, Section 17, as amended) is amended to read:

"7-9-24. EXEMPTION--GROSS RECEIPTS TAX--INSURANCE
COMPANIES.--Exempted from the gross receipts tax are the
receipts of an insurance [~~companies~~] company or [~~any~~] an agent
thereof from premiums and any consideration received by a
property bondsman, as that person is defined in Section
59A-51-2 NMSA 1978, as security or surety for a bail bond in
connection with a judicial proceeding; provided that this
exemption does not apply to receipts from administrative

underscored material = new
[bracketed material] = delete

underscored material = new
[bracketed material] = delete

1 services only contracts. "

2 Section 2. Section 59A-6-6 NMSA 1978 (being Laws 1984,
3 Chapter 127, Section 106, as amended) is amended to read:

4 "59A-6-6. PREEMPTION AND IN LIEU PROVISION. -- The state
5 government of New Mexico preempts the field of taxation of
6 insurers, nonprofit health care plans, health maintenance
7 organizations, prepaid dental plans, prearranged funeral plans
8 and insurance agents and solicitors as such, and payment of the
9 taxes, licenses and fees provided for in the Insurance Code
10 shall be in lieu of all other taxes, licenses and fees of every
11 kind now or hereafter imposed by this state or any political
12 subdivision thereof on any of the foregoing specified entities,
13 excepting [~~the regular state, county and city taxes on property~~
14 ~~located in New Mexico excepting the~~] property taxes imposed
15 pursuant to the Property Tax Code, gross receipts taxes and
16 local option gross receipts taxes on receipts of insurers from
17 administrative services only contracts and income tax on agents
18 and solicitors. As used in this section, "agent" does not
19 include insurance adjusters. No provision of law enacted after
20 January 1, 1985 shall be deemed to modify this provision except
21 by express reference to this section. "

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